UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND

Edson Toro

Plaintiff

v

C.A. No. 08-118S

Ashbel T. Wall Defendant

ORDER

The Report and Recommendation of United States Magistrate

Judge Lincoln D. Almond filed on September 9, 2008 in the abovecaptioned matter is accepted pursuant to Title 28 United States

Code § 636(b)(1). Plaintiff's objection to the Magistrate

Judge's Report and Recommendation is DENIED and Defendant's

Motion to Dismiss is GRANTED. This matter is hereby dismissed

with prejudice.

By Order,

Deputy Clerk

ENTER:

William E. Smith

United States District Judge

Date: 9 23 08